
Public Lands Institutions and Their Discontents

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The history of the federal lands has been marked by recurring debates over the nature of the land tenure system in the West. The fundamental and enduring nature of these debates has been quite apparent recently, for serious attention has been paid to the following specific proposals. Should the ownership of the public lands be transferred to the states in which they are located? Should large portions of the federal lands be sold off to the private sector? Should the states be permitted to undertake major programs of land exchange and consolidation with the federal government, to create contiguous landholdings for both the states and the federal government? Should the Reagan administration be allowed to implement a major administrative land management proposal that systematically exchanges land management responsibilities between the Interior and Agriculture departments throughout the federal domain?¹

Such a large number of fundamental challenges in a relatively short time clearly suggests serious dissatisfaction with either or both the existing land tenure system and the existing land management system. There appears to be a continuing problem in the legitimacy of public lands institutions. Dissatisfaction with public lands institutions, I argue here, grows out of the intersection of two critical controversies. First, what values should govern resource use on the public lands? Second, what should be the role

of subnational governments in contributing to policy-making and policy implementation on the federal domain?

This chapter explores the relationships between these contending resource use values and the question of subnational political representation in understanding existing conflicts and the implications for the existing public lands system of policy-making. Specifically, three questions are addressed. The first is the extent to which many public lands issues are largely based in conflicts over resource values. The second is the extent to which a devolution of public land resource use decision making to subnational governments, notably the western states, would result in significant shifts in resource use policies in the direction of harder uses. The third issue is an assessment of the political values of the existing institutional structure that governs the federal domain.

RESOURCE USE VALUES AND THE PUBLIC LANDS CONFLICTS

Much of the ongoing debate over appropriate resource uses for the public lands is expressed in economic terms. Obviously assessments of economic efficiency are appropriate in conducting policy analyses of public lands management. Such analyses often appear, however, to reflect deeply held preferences about what values should govern the public lands, preferences independent of economic efficiency. It is impressive to realize that critiques of existing public land managerial policies stress the economic inefficiency of existing federal land management policies, regardless of the perspective in which they originate.

Analysts associated with such organizations as the Sierra Club or the Wilderness Society, for example, are able with relative ease to question the justification of federal subsidies to the perpetually marginal livestock and logging industries operating on lands managed by the Bureau of Land Management (BLM) and the Forest Service. Critics of the existing structure of grazing fees on the public lands point out that the federal government recoups approximately 14¢ per acre in fees but spends approximately 40¢ an acre in administering lands. Environmentalists are convinced that this shortfall has little to do with the quality of federal land leased for grazing or the quality of BLM services provided the ranchers. They attribute the shortfall instead to the political resourcefulness of public lands ranchers and their representatives in Washington, D.C. A timely illustration of such political resourcefulness on the part of the public lands ranchers is found in the perennial grazing fee controversy. The federal government is required by statute to charge fair market value for grazing rights. This requirement is regularly waived. In the search for additional revenue during the budgetary deficits of the mid-1980s, the Office of Management and Budget has sought to increase grazing fees. Such fee increases have been vigorously resisted by grazing associations and western congressional del-

egations. In December 1985, 28 western senators, eighteen of whom voted for the Gramm-Rudman-Hollings budget reduction bill, wrote President Reagan asking him not to disturb the existing grazing fee structure.²

Free-market advocates regularly point out the federal government's apparent inability to capture much of the rental income from fossil fuels and hard rock mining on the public lands, no matter what changes are introduced in federal leasing policy. The President's Commission on Fair Market Value Policy for Federal Coal Leasing is a useful catalog of the challenges to devising a policy to improve the government's income from the western lands' subsurface wealth.³ It seems reasonable to infer from the existing literature that the public lands might generate greater revenues than they do today if they were managed under more stringent criteria, including eliminating subsidized marginal operations and permitting greater freedom for the deployment of development capital on the federal estate.

Explanations for the failure to realize greater income from the federal estate span a wide range. Some believe that the public sector is not capable of efficient economic management since it lacks the discipline of the marketplace. Others argue that the contemporary federal government is seemingly incapable of establishing a federal mission on the public lands in the sense of formulating and implementing federal objectives. These critics regard federal policy on the public lands as the result of competition among interest groups that are powerfully influential in the making and administering of federal natural resources policy, as in most other areas of federal policy-making.

It is unlikely that economic efficiency is the principal goal in the continuing debate over the future of the public lands. Rather, in my judgment, the controversy is the underlying issue of appropriate resource use. For example, if the fundamental concern about cattle grazing on the public lands is the preservation of the existing landscape and the judgment is made that grazing on the arid lands is damaging to the ecology, then raising the grazing fees should reduce the number of marginal operators on the public lands. The question from the point of view of some environmentalists, therefore, is not how much income the government is losing but what a particular use is apparently doing to the lands.

The creation of wilderness areas is another example of conflict over values masquerading in economic guise. Wilderness areas have generated substantial controversies throughout the West. Critics of expanding wilderness areas have argued passionately that setting aside such lands could threaten the mining of strategic minerals judged to be critical to the national interest. It is likely, however, that the intensity of the controversy over the wilderness issue has less to do with the availability of minerals, given the relative size and probable distribution of mineral deposits, than with the questions about the basic value of setting aside large tracts of land for absolute minimal use. The idea of wilderness set-asides on the scale realized

or proposed in many states is judged wrong by those who believe that resources should be utilized to fuel the nation's economy.

In many respects, the conflicts over the management and ownership of the public lands are cultural. Douglas and Wildavsky suggest that much of the conflict over environmental issues, specifically questions involving assessments of environmental risk, are based less in disagreements over interpretations of scientific data than in fundamental debates over the very conception of society itself.⁴ In other words, those broadly in agreement with fundamental social values that place a premium on economic growth are more likely to discount risks that may be associated with certain forms of resource development. In contrast, as Douglas and Wildavsky describe it, those at the border rather than at the center of society are inclined to consider as a serious threat what society appears to promote as an acceptable risk.

This center-periphery conception of cultural conflict is resonant in some of the recent controversies over land tenure issues on the public lands. *This Land Is Your Land*, a recent work by Bernard Shanks published by the Sierra Club, calls eloquently for maintaining the western lands as federal lands: "The American landscape has never been at one with the white culture that has changed the land's spirit and character everywhere but the places left as the public domain. Our manifesto must maintain a public domain haunted with a great past, a land intact and sustaining."⁵ This argument for retention is clearly a cultural argument that assigns fundamental importance to the role of undisturbed nature in the life of the nation. Shanks's book is not atypical, nor is it to be dismissed as romance.

A quite different perspective regards the federal domain as having been treated as little more than a common pool, overused and exploited. Baden and Lueck have sharply criticized federal ownership and federal managers:

The BLM's record of inefficiency closely parallels that of the Forest Service and for essentially the same reasons. Management by bureaucrats who lack residual claimancy and who are subjected to intense political pressure has led to inefficient resource allocation and often significant environmental degradation. The rationale of continued public ownership and management of land assets rests on extremely shaky ground.⁶

These two illustrations suggest more than a debate over competing strategies to realize the same objectives. Rather, they are cultural orientations to the meaning of property ownership in society itself. In Shanks's view, the federal domain must remain apart from the marketplace, for it is a repository of pre-European values. For Baden and Lueck, the transfer of the western lands to the marketplace promotes efficient and varied uses by eliminating politics. In effect, the marketplace itself becomes something more than a means—a desired cultural value in and of itself.

There is an argument for distinguishing between competing paradigms

in the attitudes of various elite and other groups toward nature. Lester Milbrath describes on the one hand the old dominant social paradigm associated with the values of industrialism, productivity, and the belief structure that humans should dominate nature to suit their needs. In contrast is what Milbrath describes as the new environmental paradigm that stresses the human community as a part of nature.⁷ These two paradigms may be stated in a way that suggests the merits of the environmental perspective. Nonetheless, there appears to be a core meaning to contrasting perspectives articulated in the paradigms.

There are, of course, other persuasive cultural perspectives. In the tradition of a literature drawn from culture in conflict, their proponents also write with skill and power about arguments for increased economic activity on the public lands. If we accept the argument that much of the debate over resource use on the public lands has less to do with economic efficiency and more to do with cultural differences, however, we can then consider the implications of the contending values argument for the other great federal domain question: the debate over the role of state and local governments in public lands policy decision making.

SUBNATIONAL POLITICS AND PUBLIC LANDS DECISION MAKING

Long-time observers of public lands politics in the western states will point out that commodity user groups or groups associated with harder resource uses have sought state and local political responsibility for resource use decisions.⁸ These harder use groups believe that subnational levels of government are likely to be more sympathetic to traditional user groups. In contrast, conservation groups and, later, environmentalist groups historically have supported the federal government as the appropriate forum to own and administer the public lands. These groups are concerned that subnational governments are often dominated by resource developers and/or lack the bureaucratic competence to manage the lands. There has been research to suggest that state legislatures may be more inclined to support the views of harder use advocates than would be reflected in the western states' populations. In contrast, environmentalist organizations have viewed the federal government as open to different policy perspectives, with a tradition since the Progressive Era of a resource management civil service and the major advantage of a writ that extends throughout the federal domain rather than being confined to a single state.

Such are the historic perceptions of contending public lands user groups. These perceptions apparently underpinned the respective strategies of supporters and opponents of the Sagebrush Rebellion effort to transfer significant portions of the federal lands to the states in which they were located. The privatization movement has generated similar controversy

about whether the transfer of public lands on a large scale to the private sector would result in a changing set of uses.

Large-scale privatization of the federal lands might result in transfer of land use regulation from federal to state governments, depending on the conditions governing land transfers. Joseph Sax has suggested that the question of use is not really related to the question of landownership.⁹ Whether lands remain in federal, state, or private hands is beside the point that under existing law, the capacity exists for state and local political institutions to determine many major use and maintenance questions. If, as Sax argues, landownership is not necessarily determinative of resource use, then the issue is either one of symbolism or the political question of the appropriate sets of regulations and regulators.

It is therefore of considerable interest to assess the consequences for public lands policy outcomes if the western states were given a larger role in public lands decision making and states were moved from the role of actors in the decision-making process to the forum where policy decisions are made. In assessing the likely nature of the western states' policy-making, Hirschman's model of exit, voice, and loyalty is useful.¹⁰ Briefly, this well-known work argues that if it is relatively easier for individuals to leave an organization and realize their preferences than to seek their goals from within, they will exit. If, on the other hand, it is relatively hard to exit because few realistic alternatives exist, individuals are likely to seek to exert voice and to work within the organization to achieve their stated aims. The parallel I wish to draw with the public lands states is that over most of this century, conservationists and, later, environmentalists have found it easier to leave the western states and seek influence at the federal level. The federal alternative has been consistently a more appealing option to environmentalists than seeking voice within the political context of the western states. The basic appeal of this national strategy was undoubtedly enhanced by the greater resources available at the national level than in the relatively less-well-off western states. There is evidence to support two contentions about the likely effects of devolution of power over the public lands to the western states. First, sufficient range of opinion within the western states has found political expression to support an interpretation that westerners are by no means monolithic on resource use on the western lands. Second, when attention to the environmentalist perspective in the federal capital declined with the advent of the Reagan administration in 1981, there was a corresponding rise in organized environmentalist interest group activity in the Mountain and Pacific states. The apparent shift in the federal agenda took place in the context of rising interest in devolving power and recognition to the states in resource use decision making that had emerged in the 1970s and was consonant with the rhetoric of the Reagan administration in the 1980s.

In the examination that follows of the distribution of preferences on

natural resource and environmental regulation, it is important to distinguish the Pacific Coast and the Intermountain states. Surveys of popular attitudes on resources issues that embrace the entire western region are inevitably dominated by the massive California population. Separating the Mountain states from the Pacific Coast states is justified on the basis of longstanding differences in economic development and cultural traditions. At the same time, the two sets of states share in the western tradition of vast tracts of wilderness and large-scale federal ownership of the public lands.

Since the mid-1960s, there has been much confusion over the extent or absence of environmentalist sentiment in the western states. Studies that suggest substantial support for what might be described as softer uses have often relied on surveys that combine both the Mountain states and the West Coast. Efforts to separate the Mountain states from the West Coast reveal sharp differences over resource use development in the Mountain states that are much less apparent in the coastal states.

A survey of issues that are important in political campaigns suggests that significant attention is paid to issues of resource development in the Intermountain region. Conflicts between hard and soft development strategies became increasingly apparent in state politics throughout the 1970s and the 1980s. For example, such controversies have characterized Montana politics for a number of years in the debate over whether to emphasize mineral and fossil fuel development or recreational development.¹¹ Colorado politics have seen sharp debates over the development of the Western Slope.¹² Although less dramatic, similar debates are clearly apparent in the other Mountain states. Surveys of state legislative voting patterns conducted by state environmental organizations in Idaho, Wyoming, Montana, and Colorado reveal that a pattern common to all four states is the importance of party affiliation in predicting legislators' votes on selected natural resource and environmental regulatory bills.¹³ In 1981 on a 100-point index of legislative agreement with the specific agendas of respective state environmental organizations, Idaho Republicans averaged 45.3 percent while Idaho Democrats averaged 70.7 percent. The parallel partisan contrast is apparent in Wyoming, where in the same year Republican legislators averaged 20.5 percent and Democrats 78.3 percent. The pattern is repeated in Colorado, where Democratic legislators averaged 78.3 percent and Republicans averaged 15.4 percent. Finally in Wyoming, the state environmental organization scored Democratic legislators at 76.5 percent and Republican legislators at 29.4 percent.

It is apparent that there is a distinctive partisan dimension to environmental and natural resource issues in the Mountain states. It is, of course, not surprising to recognize that party elites divide on natural resource questions. Studies over the past fifteen years would suggest the existence of such partisan divisions.¹⁴ Less expected, however, is the dramatic nature of partisan divisions in the Mountain states, where Democratic and Re-

Table 3**Should the Government Relax Environmental Regulations, in Order to Increase Energy Sources? Responses by Region**

	Keep Regulations Unchanged	Relax Regulations	Relax Regulations with Qualifications
Northeast	57.4% (151)	32.3% (85)	10.3% (27)
Central	52.5% (168)	31.9% (102)	15.6% (50)
South	47.2% (191)	38.3% (155)	14.6% (59)
Mountain	44.4% (28)	41.3% (26)	14.3% (9)
Pacific	65.4% (102)	19.9% (31)	14.7% (23)

Data source: 1980 National Election Survey, Center for Political Studies, Institute for Social Research, University of Michigan

publican legislators are sharply divided on a number of environmental and natural resource use questions. In contrast, an analysis of the California state legislature in 1981 by a state environmental organization revealed differences between Democratic and Republican legislators but by no means to the same extent as in the Mountain states. Democrats averaged 69.5 percent and Republicans 51.8 percent, respectively.

The partisan divisions reflected at the elite levels in the Mountain states are apparent at the mass level as well. Surveys conducted by the Survey Research Center at the University of Michigan on questions of levels of support for existing environmental regulations indicated in 1980 that the Mountain states were one of the regions in the nation most willing to relax environmental regulations (Table 3). Approximately 44 percent of residents in the Mountain states wished to keep regulations unchanged. In contrast, residents in the Pacific states favored keeping the existing set of regulations by 65.4 percent, a sentiment echoed by the residents of the Northeast by 57.4 percent. When responses to the environmental regulatory questions are broken down by partisan identification, an instructive contrast is evident between the responses in the West Coast and the Mountain states. In the coastal states, over 73 percent of Democrats favored leaving environmental regulations unchanged. That percentage dropped

to about 51 percent for coastal Republican identifiers. In contrast, Mountain states' Democratic identifiers by about 68 percent supported leaving environmental regulations unchanged, but the level of support for existing regulations among Republican identifiers fell to 14 percent. This sharp partisan division on environmental questions would suggest that in this Republican age so apparent in the western United States, there would be relatively little support for environmentalist positions. But there is a good deal of evidence to suggest that natural resource politics are quite lively and by no means a forgone conclusion in the Mountain states.

A decline in communication between environmentalist organizations and federal decision makers, in conjunction with a perceived increase in importance of the states in resource use decision making, has generated increased political activity at the subnational level among western environmentalists. An illustration of the rise of subnational environmentalist organizations in the West is that from 1980–1983, the Sierra Club's membership grew by 266 percent within the seven Mountain states of Idaho, Montana, Wyoming, Nevada, Utah, New Mexico, and Arizona. Nationally the Sierra Club increased its membership by 190 percent.¹⁵ During that three-year period, the Intermountain region grew from 4.5 percent to 6.4 percent of the total national Sierra Club membership. Approximately 5 percent of the U.S. population lives in the seven Mountain states, which suggests that in recent years at least, the Sierra Club has moved from a position of below what the region "should" contribute to above what the region can proportionately "offer." This rise in Sierra Club membership in the Mountain region was one of the fastest rates of growth in the nation and conveys some sense that there is a local environmentalist force likely to grow if increased resource use decision making is devolved to the states. One pattern in club membership does not necessarily reflect a regional trend, but there is additional evidence that serious debate over environmental and natural resource issues is indigenous to a number of the Mountain states.

The sharp distinctions apparent in environmental organizations' assessments of legislators are reflected in the survey results of area residents in the Mountain states. Partisan identification is a powerful predictor of attitudes on resource use questions. The importance of political party in the western Mountain states is apparently more important than it is in other regions of the nation. A reasonable explanation for the intensity of the partisan nature of the natural resources debate may be the central nature of natural resource issues in many of the western states' economies and indeed in the cultural life of many western communities.

There are two implications of these survey findings on elite and popular partisan divisions on resource regulation for this discussion of devolving public land use decision making to the state level. The first is that devolution of increased powers to the states would certainly increase the stakes, but

by no means reduce the intensity, of the debate taking place in these states. The second is the presence in many of these states of strong, successful Republican parties. Local Republican parties are apparently committed to increased levels of resource use. It might therefore be concluded that a devolution of resource use decision making to the states would result in so-called harder resource uses given the political success enjoyed by western Republicans.

The prospect is hypothetical, however. In the context of an actual transfer of power to the western states, it might be hard to anticipate the shape of party outcomes on resource use issues. It is likely, for example, that environmentalist organizations in western states would redouble their efforts at the state level in order to increase their voice in state policy-making if increased resource use decision making were given to the states. Increasingly environmentalist forces would seek voice in policy-making at the state level in an atmosphere of sophisticated state politics.

The importance and the limitation of partisan politics in understanding natural resource use decision making in the Mountain states is reflected in the experience of the Reagan administration during the 1980s. The advent of the Reagan administration in 1981 may have significantly reduced the level of political tension between a number of the public lands states and the federal administration because congressional delegations and the White House shared the same party membership. Clearly some of the antagonism that had characterized relations between the western states and the Carter administration—ranging from the water projects hit list in 1977 to the MX basing decision in 1979–1980—diminished with the Reagan administration. But party alliance between Washington and the West was by no means sufficient to stave off serious political challenges from the West to the Reagan administration during the privatization initiative in 1981. Western state Republican leaderships had quite serious reservations about the privatization initiative and were quick to express their discontent publicly. It is clear that the public lands states are lively forums for resource use debates and that such debates are more central to their political concerns than is the case in other parts of the country. It is reasonable and prudent for federal decision makers to address how western state representatives are to be incorporated in public lands policy-making in order to avoid some of the conflicts that have characterized policy initiatives over the last two administrations.

There is some basis for formal consultation between the federal government and state governments on a large number of resource use questions. It is evident from many analyses of federal legislation enacted during the 1970s that the role of the states in helping to shape resource use decision making on the public lands was recognized and encouraged. There is little doubt that the states are more likely to be influential if their respective statutes propose some sets of land use regulations. States apparently have

the capacity to resist federal land uses if they find such uses inimical to higher state standards of environmental regulation. This capacity does not apparently extend to promoting so-called harder uses on the lands, nor does it challenge the fundamental authority of the federal government over the federal domain.¹⁶ This expanded role for the states raises the question of the extent to which federal policy objectives are served by existing public lands institutions. In the view of some commentators, the management of the public lands is illustrative of the worst sort of federal policy-making: no more than internecine conflict among diverse interest groups and various layers of government.

REFLECTIONS ON PUBLIC LANDS INSTITUTIONS

The characterization of interest group liberalism so often leveled at public lands management must be evaluated against the background that a diverse set of concerns and uses are recognized as appropriate for the public lands. These uses often arise from quite different cultural perspectives. Coming to terms with managing the public lands is a complicated question. There is the fundamental problem of what range of values to incorporate into management of the public domain and the structural question of how a set of institutions should be designed not only to incorporate this set of recognized interests but to be cognizant as well of the interests of subnational governments.

It may be correct that a significant proportion of the policies operating on public domain expenditures results from bargaining among powerful interest groups rather than a realization of national purpose. A persuasive case can be made for the proposition that a serious problem with public lands institutions is the underdeveloped role of the federal government in the exercise of its managerial responsibilities. But the limitations of federal institutions do not necessarily imply that such institutions should be greatly strengthened.

Recognition of the inadequacies of federal policy, however, should not obscure the fact that a central need is an accommodation of the interests of those who use the land. These user groups have developed over time a sustained commitment to certain uses on the land. A policy that seeks to realize one set of interests at the expense of others is likely to exacerbate conflict on the public lands and to deny the concerns of interests now denied participation in the federal estate. Proposals for much greater reliance on the market to accommodate these diverse values or for the states alone to assume such decision-making responsibility need to be carefully evaluated in comparison to the existing set of public lands institutions. One of the more original American political theorists, John C. Calhoun, argued in his *Disquisition on Government* that it is difficult to equalize the actions of government and to avoid perversion of its powers to enrich some interests

by exploiting others.¹⁷ His well-known recommendation was to provide each division of the community either a concurrent voice in law making or a veto on the execution of the law. Calhoun argued that such an arrangement would not result in the failure to produce needed national decisions but would "unite the most opposite and conflicting interests" to devise compromises that help to build the political community.

The obverse of policy gridlock in the Calhounian conception of concurrent majorities is the risk of interest group liberalism. A major concern for Lowi is that there has been an abdication of legal responsibility by Congress in making public policy decisions and allocating resources. Congress, in Lowi's view, has granted far too much discretionary authority to agencies and departments.¹⁸ Federal agencies operating with a broad mandate are susceptible to the pressures of congressional committees and interest groups. Observers writing in the Lowi tradition have concluded that many policy decisions simply reflect the shifting strengths of a collection of interest groups that possess access to Congress and the appropriate agencies. Robert Nelson has suggested that Lowi's analysis is particularly appropriate for understanding public lands decision making.¹⁹ His understanding of resource allocation on the public lands is bargaining among the diverse users that over the years has resulted in increasing federal subsidies. These subsidies are intended to reduce conflict on the federal estate among both traditional and nontraditional users of the lands and several levels of subnational government. Nelson's criticism is that in this process there is no clear mission for the lands that reflect the public interest. Nelson believes that in the absence of a clearly delineated public mission, public lands management has become increasingly confused and increasingly economically inefficient.

A greater reliance on the views of voters or on public participation to overcome the distortions of interest group competition is dismissed by critics of interest group liberalism who argue that the role played by voters is often irresponsible. Dennis and Simmons have argued that "because the costs of public programs can be diffused and benefits concentrated, voters are able to exaggerate their wants by calling them needs."²⁰ The recommendation of such critics is that a transfer of the lands to the marketplace is the only solution that would permit the end to what are seen as failures of the existing system. But the problem may not be so easily resolved. A shift to the market requires careful development of rules governing property. Every indication is that the range, diversity, and sophistication of public lands interests at both the national and subnational level are such that the development of an elegant market solution might prove legislatively elusive.

Few would argue that federal policy-making should not be more than an exercise in barter among private groups or an appeal to voters who are not accountable for the costs of programs. As was observed during the

1970s, however, efforts to produce comprehensive legislation to govern such important activities as strip mining and nuclear waste are problematic. These statutes reflect the reality that competing demands are now enacted into law rather than expressed as pressures on agency administration. The reality of public lands politics is that there are a number of interests deeply concerned about resource use. A governing strategy that would impose a simple majoritarian statist solution to public lands management is unlikely to be realized. Moreover, it would be quite likely to generate increased controversy, particularly among organized and passionate interests not included in the policy-making process. Analysts such as Jack Walker and John Berry have pointed out that there has been a deconcentration of power and that a relatively small number of groups in conjunction with party leaderships no longer may achieve consensus on the policy agenda.²¹ There are today simply a wider set of interests who are less willing to accept such leadership patterns. Determining and implementing a specific agenda has proved increasingly elusive in many public policy areas. Nowhere is this more apparent than in public lands management.

The past twenty years have witnessed a growing number of interest groups involved in resource use questions and a corresponding diffusion in political sophistication among these diverse user groups. In an important dimension, the complex system of resource use management that has evolved on the public lands should be seen less as an exercise in interest group liberalism and more as a creation of a Calhounian system of concurrent majorities. It is a system based on the recognition that a number of fundamental interest groups should be part of the federal domain. These interests are, of course, recognized by federal statutes such as the Federal Land Policy and Management Act of 1976. Although such statutes invite consultation in decision making, they cannot be determinative of actual administrative practice. Statutory recognition of a diversity of interests on the public domain does not mean that the question is settled as to who is to represent such interests. Nor does the statute determine the relative weights in policy-making that are to be assigned to these diverse interests. Public lands policies and their implementation are the results of an awkward, complicated system. Over time, the system has become institutionalized. We should anticipate a lengthy policy-making process of negotiation and adjustment at the intersection of governmental level and interest group representation. The process will work as long as the necessity for negotiation is recognized. But if decision makers seek to circumvent extended negotiations, the resultant policy is likely to exacerbate conflict and lead to oscillations in public lands policy that are surely less desirable for the public lands. In short, the problem of public lands management is devising a strategy that seeks reconciliation of often-conflicting value systems with representation from several levels of government.

The existing set of public lands institutions has evolved over the course

of this century to the point of capacity to accommodate a growing and diverse range of values. Only 50 years ago, the principal uses on the public lands were grazing and some coal and oil production. In recent years, channels of formal participation have been opened up. There has been a remarkable growth in recreational use, as well as increasingly sophisticated mineral and fuel location and development. State and local governments historically exercised some power over public lands policy only indirectly through the influence of western congressional delegations. In the past two decades, through federal statutes and federal court decisions, there has been a formal recognition of the role of states in public lands questions. The western states themselves have grown in sophistication in statutes, personnel, and their respective abilities to contribute to public lands decision making. Public lands institutions have had a sufficiently protean quality to accommodate the growth in uses and the growing strength of subnational governments.

It is, of course, highly probable that the conflicts on the public domain will continue, but the mere presence of conflict has never been the most interesting issue. The fundamental political question that remains is whether institutional arrangements can be designed to resolve these conflicts. There are two sets of rival institutional arrangements to the existing public lands institutions. One alternative is a transfer of decision making to the states either directly by giving ownership to the western states or indirectly by sale to the private sector, which in effect places such lands under western states' regulation. The second is a strengthening of the mission of the federal government by augmenting its power to determine resource use decision making—that is, by seeking to free land management from interest group liberalism. The devolution of power to the states is unlikely to reduce conflict. Rather, the likelihood is that it will engender much more localized conflict throughout the communities of the states. Granting increased power to federal land agencies, a strategy of power concentration, seems to deny the Calhounian recognition that there are genuine and passionate lands interests that need to be taken into account in decision making. A review of the contemporary conflicts on public lands use questions suggests that the existing public lands institutions are more likely to be responsive to the nature of western lands conflicts by balancing federal and state interests and the range of resource use values than the alternatives that have been offered to date.

NOTES

1. See John G. Francis, "Land Consolidation: A Third Alternative," *Policy Studies Journal* 14 (December 1985), pp. 285–95.

2. T. R. Reid, "Western Grazing Fees Slip Out of the Budget Noose," *Washington Post*, February 2, 1986, p. A3. See Sabine Kremp, "A Perspective on BLM Grazing

Policy," in *Bureaucracy vs. the Environment*, ed. J. Baden and R. Stroup (Ann Arbor, Mich.: University of Michigan Press, 1981), pp. 124–53, for a critical evaluation of federal grazing policy.

3. Report of the Commission, *Fair Market Value Policy for Federal Coal Leasing* (February 1984).

4. Mary Douglas and Aaron Wildavsky, *Risk and Culture, An Essay on the Selection of Technical and Environmental Dangers* (Berkeley: University of California Press, 1982).

5. Bernard Shanks, *This Land Is Your Land: The Struggle to Save America's Public Lands* (San Francisco: Sierra Club Books, 1984), p. 298.

6. John Baden and Dean Lueck, "Bringing Private Management to the Public Lands: Environmental and Economic Advantages," in *Controversies in Environmental Policy*, ed. S. Kamieniecki, R. O'Brien and M. Clarke (Albany, N.Y.: State University of New York Press, 1986), p. 54.

7. Lester W. Milbrath, *Environmentalists; Vanguard for a New Society* (Albany, N.Y.: State University of New York Press, 1984).

8. See Grant McConnell, "The Conservation Movement—Past and Present," *Western Political Quarterly* 7 (1954): 463–78, for an account of the conservation movement's commitment to federal decision making up to the 1950s. See also J. G. Francis, "Environmental Values, Intergovernmental Politics and the Sagebrush Rebellion," in *Western Public Lands*, ed. J. Francis and R. Ganzel (Totowa, N.J.: Rowman and Allanheld, 1984), pp. 29–46, for a discussion of environmentalist commitment to federal decision making during the 1980s.

9. Joseph L. Sax, "The Claim for Retention of the Public Lands," in *Rethinking the Federal Lands*, ed. Sterling Brubaker (Baltimore: Johns Hopkins University Press, 1984), pp. 125–48.

10. Albert O. Hirschman, *Exit, Voice and Loyalty* (Cambridge: Harvard University Press, 1970).

11. Lauren S. McKinsey, "Natural Resource Policy in Montana," in *We the People of Montana: The Workings of a Popular Government*, ed. J. Lopach (Missoula, Montana: Mountain Press, 1983).

12. Richard D. Lamm and Michael McCarthy, *The Angry West, A Vulnerable Land and Its Future* (Boston: Houghton Mifflin, 1982).

13. The following environmentalist organizations' state legislative ratings were employed in this analysis: California League of Conservation Voters, Colorado Open Space Council, Idaho Conservation League, Montana Environmental Information Center, and the Wyoming Outdoor Council.

14. See the following for findings on the relationship between party identification and environmentalist policy support: Frederick H. Buttel and William L. Flinn, "The Politics of Environmental Concern: The Impact of Party Identification and Political Ideology on Environmental Attitudes," *Environmental Behavior* 10 (1978): 17–36; Riley Dunlap and Richard Gale, "Party Membership and Environmental Politics: A Legislative Roll Call Analysis," *Social Science Quarterly* 55 (1974): 670–90; Henry C. Kenski and M. C. Kenski, "Partisanship and Constituency Differences on Environmental Issues in the U.S. House of Representatives and Senate: 1973–1978," in *Environmental Policy Formation*, ed. Dean Mann (Lexington, Mass.: Lexington Books, 1981).

15. The membership figures for Sierra Club chapters are taken from official reports of the Sierra Club.

16. See F. Anderson, D. Mandelker, and A. Tarlock, *Environmental Protection: Law*

and Policy (Boston: Little, Brown, 1984). Chapter 8 discusses environmental values and land use.

17. John C. Calhoun, *A Disquisition on Government and Selections from the Discourse* (New York: Liberal Arts Press, 1953), p. 13.

18. Theodore J. Lowi, *The End of Liberalism: Ideology, Policy and the Crisis of Public Authority* (New York: W. W. Norton & Co., 1969).

19. Robert J. Nelson, *The Making of Federal Coal Policy* (Durham, N.C.: Duke University Press, 1983), pt. V.

20. William C. Dennis and Randy T. Simmons, "From Illusion to Responsibility: Rethinking Regulation of Federal Land Policy," in Kamicniecki, O'Brien and Clarke, *Controversies*, p. 69.

21. Thomas L. Gais, Mark Peterson, and Jack L. Walker, "Interest Groups, Iron Triangles and Representative Institutions in American National Government," *British Journal of Political Science* (1984): p. 166-85. John M. Berry, *The Interest Group Society* (Boston: Little, Brown, 1984).